

**REMARKS**

**Information Disclosure Statement:**

Applicant thanks the Examiner for initialing and returning the form PTO-1449 filed on April 24, 2002, thus indicating that all of the references listed thereon have been considered.

**Drawings:**

Applicant also thanks the Examiner for forwarding the Form PTO-948, which indicates that the PTO Draftsperson has accepted the drawings.

**Election/Restriction:**

Applicant also notes that claims 12-21 have been withdrawn from consideration by the Examiner in view of an election made over the phone to pursue Group I (claims 1-11, without traverse). Applicant confirms the election of Group I without traverse.

Further, Applicant notes that claims 12-21 have been cancelled.

**Allowable Subject Matter:**

Applicant also thanks the Examiner for noting that although claims 2-4 and 7-11 have been objected to, these claims would be allowable if written in independent form. Applicant notes that claims 2 and 7 have been written in independent form.

**Claim Rejections:**

Claims 1-11 are all of the claims that have been examined, and currently only claims 1 and 5-6 stand rejected.

***35 U.S.C. § 102(b) Rejection - Claims 1 and 5-6:***

Claims 1 and 5-6 stand rejected under 35 U.S.C. § 102(b) as being anticipated by EP 0 320 649 to Hilakos.

Hilakos discloses an orifice **34** on a sizing die used in the manufacture fibers or filaments employing thermoplastic resins as a coating. The orifice **34** opening can be adjusted with the use of adjusting screws **48**, so as to change the diameter of the orifice **34**, and subsequently, the diameter of the coating on the fiber or filament.

However, Applicant notes that Hilakos does not disclose having a device where a “sizing die includes a resilient member that defines [the] orifice.” *See* claim 1. There is no disclosure of having an orifice in the sizing die, in Hilakos, which is defined by a resilient member. Therefore, Hilakos fails to disclose each and every feature of the present invention.

For at least the reason set forth above, Applicant submits that Hilakos fails to disclose each and every feature of the present invention and, as such, fails to anticipate the present invention. Therefore, Applicant hereby requests the Examiner reconsider and withdraw the above 35 U.S.C. § 102(b) rejection of claim 1.

As claims 5 and 6 depend on claim 2 now, Applicant submits that these claims are also allowable, as they now depend on claim 2.

**Conclusion:**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

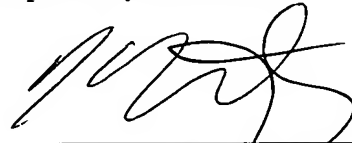
AMENDMENT UNDER 37 C.F.R. § 1.111  
U.S. Application No. 10/008,478

Our Ref.: A8237  
Art Unit: 1734

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Terrance J. Wikberg  
Registration No. 47,177

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: October 14, 2003